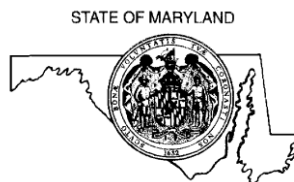


**Marilyn Moon, Ph.D.**  
CHAIR



**Rex W. Cowdry, M.D.**  
EXECUTIVE DIRECTOR

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**MARYLAND HEALTH CARE COMMISSION**

**Thursday, January 17, 2008**

**Minutes**

Chair Moon called the meeting to order at 1:10 p.m.

Commissioners present: Krumm, Lucht, McLean, Moore, Olsen, Petty, Sensabaugh, and Todd. Commissioners Conway and Jefferson were present via teleconference. Commissioner Ontaneda-Bernales was present by teleconference for Items 4-6.

**ITEM 1.**

**Approval of the Minutes**

Commissioner McLean made a motion to approve the minutes of the December 20, 2007 meeting of the Commission, which was seconded by Commissioner Moore and unanimously approved.

**ITEM 2.**

**Update of Activities**

David Sharp, Center Director for Health Information Technology, said staff briefed the House Health and Government Operations Commission regarding plans for a health information exchange; and provided an update on the report of the Task Force on Electronic Health Records. Dr. Sharp also noted that the final Request for Application (RFA) for a Citizen-Centri health Information Exchange for Maryland was released and multi-stakeholder groups interested in responding to the RFA must do so no later than March 3<sup>rd</sup>. He said this is the first phase of a two-phased strategic plan to provide funding for different projects in planning a statewide health information exchange.

Bruce Kozlowski, Center Director for Long-Term Care and Community Based Services, said that during the 2007 legislative session, the General Assembly passed HB 797, which required the Commission, in consultation with the State Advisory County on Quality Care at the End of

Life, to undertake the Study of Health Care Services for Children with Life Threatening Medical Conditions. He said the legislation required to Commission to report the effect of specified programs that provide assistance in other states, and make specified recommendations. Dr. Cowdry asked that the Commissioner's review the report and provide any comments within the next week.

Before turning to the next agenda item, Commissioner McLean thanked her fellow Commissioners and Staff for their condolences on the passing of her mother.

### **ITEM 3.**

#### **ACTION: Hearing on Motion to Compel Acceptance of Intent submitted by St. Agnes Hospital**

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Chair Moon provided background information on regulations that guide Maryland's participation in a two-year search study of Non-Primary or elective PCI services in hospitals without on-site cardiac surgery. She noted that the regulations outline a schedule for reviewing applications that included dates for filing of letters of intent and submitting waiver applications for consideration by the Commission. Dr. Moon said that St. Agnes Hospital filed its letter of intent on January 3, 2008, one day after the due date. She said that Dr. Cowdry contacted and advised St. Agnes that its Letter of Intent was not timely filed and noted that this is a comparative review for a limited number of waivers to participate in this 2-year research project. Dr. Moon noted that Dr. Cowdry advised St. Agnes that the Commission would only accept its Letter of Intent if the other participating hospitals that filed timely Letters of Intent did not object. Dr. Moon said that one hospital objected, Baltimore Washington Medical Center. St. Agnes filed a motion asking the Commission to compel its staff to accept its Letter of Intent to participate so that it could submit an application to participate in the research study. The Commission conducted a motions hearing. Dr. Moon noted that Joel Tornari, Assistant Attorney General, would assist her in conducting the motions hearing. In the hearing, Marta Harding, Esquire, represented St. Agnes Hospital, Jack Tranter, Esquire, represented Baltimore Washington Medical Center, and Suellen Wideman, Assistant Attorney General, represented Commission staff. Following the motions hearing, the Commission voted with 8 in favor and 2 opposed to deny the motion filed by St. Agnes asking the Commission to accept its Letter of Intent.

#### **ITEM 4.**

**ACTION: Certificate of Need – Modification – Washington County Hospital, Docket No. 04-21-2146**

Paul Parker, Chief, Certificate of Need, said that Washington County Hospital applied for a modification to its previously approved Certificate of Need. Mr. Parker said the modification was necessitated by a 23.9% increase in the estimate cost of the project. He said the hospital proposed constructing unfinished shell building space on the fifth floor of the new hospital, which is the only significant change in the physical plan design of the facility. Mr. Parker said that Staff recommended the project be approved, subject to several conditions. After discussion, Commissioner Todd made a motion to approve the staff recommendation, which was seconded by Commissioner Krumm and unanimously approved.

**ACTION: Certificate of Need, Washington County Hospital, Docket No. 04-21-2146, is hereby APPROVED.**

#### **ITEM 5.**

**ACTION: Primary PCI Waiver - Howard County General Hospital, Docket No. 07-13-0018 WR**

Dolores Sands, Chief, Specialized Services Policy and Planning, provided an update and background information on the performance of programs holding primary PCI waivers. She said that Doctors Community Hospital was unable to meet the required optimal volume of 49 cases in calendar year 2007, and that, therefore, the hospital would relinquish its PCI waiver as of January 31, 2008.

Dr. Rex Cowdry presented the staff recommendation for Commission action on the waiver for Howard County General Hospital. He said that staff has determined that Howard County General Hospital is in compliance with requirements found in COMAR 10.24.17, with the exception of the institutional volume requirement, which requires the Hospital to perform 49 primary PCI procedures annually. He said that the annualized audited data for the period from April 1 through December 31, 2007 indicated that the Hospital performed 48 cases. Commissioner Todd made a motion to approve a two-year waiver to perform primary PCI without on-site cardiac surgery services, which was seconded by Commissioner McLean and unanimously approved. Commissioner Krumm recused herself from this action.

**ACTION: Primary PCI Waiver - Howard County General Hospital, Docket No. 07-13-0018 WR, is hereby APPROVED.**

#### **ITEM 6.**

**Legislative Update: Discuss SB 65 “Health Insurance – Small Group Market – Coverage of Child Dependents**

Nicole Stallings, Chief, Government Relations and Special Projects, provided background information on the 2008 legislative session. Bruce Kozlowski discussed the details of SB 65, noting that the bill would require that the Maryland Health Care Commission include coverage

of a child dependent up to age 25 in the Comprehensive Standard Health Benefit Plan (CSHBP). He said that staff presented the option to require coverage of child dependents up to age 25 at the November 2007 public meeting and the staff analysis noted that the coverage is currently available as a rider in the CSHBP. Mr. Kozlowski also pointed out that our consulting actuary, Mercer, estimated the cost impact on the overall CSHBP premium to be between 0.5% and 1.1% at a time when dependent coverage continues to decline because of increasing premiums and decreasing employer contributions for dependents. At that meeting the Commission decided to continue the current policy of allowing plans to offer a rider and also directed staff to study the extension of coverage for future consideration. Therefore, staff recommended opposing SB 65. Dr. Moon made a motion to approve the staff recommendation, which was seconded by Commissioner Todd and unanimously approved.

### **Adjournment**

Since the State issued “liberal leave” due to the snow storm, Chair Moon suggested ending the meeting immediately after agenda item 6. The meeting was adjourned at 2:50 p.m., upon a motion of Commissioner Krumm, which was seconded by Commissioner Todd and unanimously approved.